



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'07 MJ 8904

UNITED STATES OF AMERICA,

Plaintiff,

v.

Joseph Paul BUSHEY

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about November 3, 2007, within the Southern District of California, defendant Joseph Paul BUSHEY did knowingly and intentionally import approximately 42.04 kilograms (92.44 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 5TH,
DAY OF NOVEMBER 2007.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Joseph Paul BUSHEY

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents, and notes
6 furnished to US Immigration and Customs Enforcement Special Agent Nicole Yammine.

7 On November 3, 2007, at approximately 2210 hours, Joseph Paul BUSHEY
8 entered the United States at the Calexico, California, East Port of Entry. BUSHEY was
9 the driver of a 2002 Ford Focus.

10 Customs and Border Protection Officer (CBP) J. Mena referred BUSHEY and the
11 vehicle to secondary for further inspection.

12 In the vehicle secondary lot, CBP Canine Enforcement Officer J. Jones and his
13 assigned canine performed a canine inspection of the lot. Officer Jones stated that the
14 canine had alerted to the passenger side dashboard of the vehicle. CBP Officer J.
15 Rangel then took a negative Customs declaration from BUSHEY.

16 A subsequent inspection of the vehicle revealed 28 packages in the bumper and
17 dashboard. CBP Officer Rangel probed one of the packages, and a sample of a green
18 leafy substance was obtained, which field tested positive for marijuana. The 28
19 packages had a combined net weight of approximately 42.02 kilograms (92.44 pounds).

20 BUSHEY was placed under arrest and advised of his Constitutional Rights,
21 which he acknowledged and waived, agreeing to answer questions without the
22 presence of an attorney. BUSHEY admitted knowledge of the marijuana in the vehicle.
23 BUSHEY stated he was going to be paid \$1,500.00 for smuggling the drug-laden
24 vehicle into the United States.

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